

# Entrapment

This scenario was developed by B. Grant Stitt and Gene G. James and cited in  
*Moral Issues in Police Work* by F. A. Elliston and M. Feldberg. (Totowa, N.J.: Roman and Allanheld, 1985)

## Position One: Gotcha!

A businessman has just checked into a hotel. He is unpacking when an attractive young woman dressed in a very short skirt and halter knocks at his door. She asks him to invite her in for a drink. A little later, when he offers her money to engage in sexual intercourse, she pulls out a badge, identifies herself as a policewoman, and arrests him for soliciting prostitution.

A customer in a bar asks the bar owner if he would like to buy a color television set very cheaply and adds, "Don't ask me how I got it." The owner purchases the television set and is then arrested (by the undercover officer) for receiving stolen property.

In situations such as these, the police are not investigating people they have reason to believe committed crimes; they are testing individuals to determine whether they will commit a crime if presented with favorable circumstances. They are offering people a temptation in the hope they will succumb; in other words, trying to entrap them into committing a crime.

Is police use of entrapment ethical?

Yes. The courts have ruled that the police are justified if defendants are "predisposed" to commit that kind of crime, meaning they have a history of committing crimes and are likely to do so again. If they have a predisposition to commit a crime and they commit a crime, they should be held accountable for their actions. Just because they were offered an opportunity by the police doesn't mean they are innocent of committing an offense.

Chronic criminal offenders commit the majority of crimes and are a threat to society. Police use of entrapment is a deterrent because of the fear of getting caught and not knowing who is or is not an undercover police officer. The fact that chronic criminal offenders have a history of committing crimes shows that they are a greater threat. Use of entrapment is a way of protecting society.

## Position Two: Don't Abuse the Power!

A businessman has just checked into a hotel. He is unpacking when an attractive young woman dressed in a very short skirt and halter knocks at his door. She asks him to invite her in for a drink. A little later, when he offers her money to engage in sexual intercourse, she pulls out a badge, identifies herself as a policewoman, and arrests him for soliciting prostitution.

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Is police use of entrapment ethical?

No. The use of government power to help people commit crimes is an abuse of power because in some cases those who fall into the trap probably would have obeyed the law if they hadn't been presented with such an easy opportunity. Providing opportunities for crime is a strange way of keeping law and order. There is a difference between investigating someone who is "corrupted" and someone who is "corruptible."

If someone is susceptible to committing a crime there is no need to provide temptation, since he or she is likely to commit a crime anyway. Usual methods of police work are adequate.

The right to privacy and freedom from unwarranted governmental influence limits what the government can do to protect citizens from crime. Entrapment is a violation of those rights. Entrapment reduces trust between people and is a dangerous method in the hands of someone who would like to harass innocent people.